



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

September 13, 2013

Esterbrook Trustees  
Attn: Leon Esterbrook  
1319 Summit Lake Shore Rd NW  
Olympia, WA 98502

Re: Water Right No. S2-30448 for 1320 Summit Lake Shore Road

Dear Mr. Esterbrook:

You are hereby granted an extension to begin construction of your project for the reason below:

- Lack of finances necessary to begin construction.

Your new deadline to begin construction and submit a *Construction Notice* is **October 1, 2015**.

You requested a four-year extension to begin construction due to lack of finances. This is the same reason given in 2010 when you received extensions to begin construction under this permit and Permit S2-30449. At that time, you indicated that you had the ability to install piping and meters. Construction of the water system infrastructure and installation of meters will meet the requirement for Beginning of Construction. We recommend that you proceed with construction of the water systems as soon as possible to maintain these water rights in good standing.

Extensions cannot be granted repeatedly for financial reasons, particularly at the "beginning of construction" stage and when multiple projects are involved. If the property under this permit is not being developed for your own use and you are unable to secure funding to begin construction, you may want to consider selling the property and assigning the water right over to someone who is able to develop the property in a timely manner.

#### **YOUR RIGHT TO APPEAL**

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).



To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

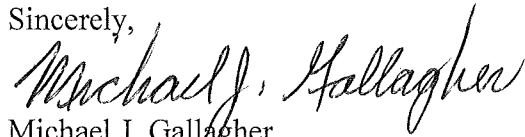
#### ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW STE 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website:  
<http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State  
Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

If you have any questions concerning this letter, please contact Marie Peter at (360) 407-0279 or [mpet461@ecy.wa.gov](mailto:mpet461@ecy.wa.gov).

Sincerely,



Michael J. Gallagher  
Section Manager  
SWRO Water Resources

MJG:MP:th

Enclosures: *Construction Notice*  
*Your Right to Be Heard*

BY CERTIFIED MAIL: 7011 2970 0000 0555 2787